

Krista Hart  
Attorney at Law  
State Bar No. 199650  
P.O. Box 188794  
Sacramento, CA 94818  
(916) 498-8398  
[kristahartesq@gmail.com](mailto:kristahartesq@gmail.com)

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF  
AMERICA,

Plaintiff/Respondent,

v.

ROY ALLEN GREEN,

Defendant/Petitioner.

Case No. 1:00-cr-5339

STIPULATION AND ORDER  
TO EXTEND TIME TO FILE  
TRAVERSE

Movant Roy Green, by and through counsel Krista Hart, and the United States, by and though counsel Assistant U.S. Attorney Dawrence W. Rice, Jr., hereby stipulate and agree that movant's traverse, currently due on November 17, 2016, be due on December 15, 2016.

Mr. Green is a federal prisoner proceeding with counsel on a motion pursuant to 28 U.S.C. § 2255. Mr. Green, Reg. No. 03327-063, is serving the

687-month sentence imposed in this case at the Florence ADMAX USP, in Colorado. He has an expected release date of February 25, 2062.<sup>1</sup>

Mr. Green filed the § 2255 motion on June 23, 2016. (ECF No. 18.) The Court issued an order setting a briefing schedule on July 6, 2016. (ECF No. 19.) The government timely filed its Opposition on August 19, 2016. (ECF No. 20.) Mr. Green's Traverse was originally due on October 18, 2016, he sought and was granted an extension to November 17, 2016. (ECF No. 22.) Mr. Green now seeks a second extension to December 15, 2016.

Counsel for Mr. Green needs additional time to review the government's Opposition, to communicate with Mr. Green and to research and prepare the Traverse. As noted above, Mr. Green is serving a lengthy prison sentence, based on the charges of conviction in this case and the consecutive 150-month sentence out of Pennsylvania, Mr. Green will serve a lengthy sentence even if this motion were to be granted. Thus, Mr. Green will not suffer any prejudice or extended time in prison if this extension is granted.

The parties stipulate and agree that Mr. Green's Traverse may be due

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<sup>1</sup> Mr. Green is also serving a 150-month federal sentence out of the Middle District of Pennsylvania. *United States v. Green*, 4:01-CR-0397-MM. On June 14, 2016, Mr. Green, represented by the Federal Public Defender there, filed a motion pursuant to 28 U.S.C. § 2255 challenging his prior convictions and status as a career offender pursuant to *Johnson v. United States*.

on December 15, 2016.

DATED: November 16, 2016

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ *Dawrence W. Rice, Jr.*  
Assistant U.S. Attorney

DATED: November 16, 2016

/s/ *Krista Hart*  
Counsel for Roy Green

**ORDER**

Good cause appearing, movant's Traverse shall be filed on or before December 15, 2016.

IT IS SO ORDERED.

Dated: November 16, 2016 /s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE